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FIVE CENTS

The Plight Of The American Indian A National Disgrace

By Robert Yellowtail

(Robert Yellowtail has been fighting the battle of the American Indians before both Houses of Congress since 1910. The Indian is not asking for charity but justice. Compare the treatment of the American Indian to that of other so-called minority groups. Ed.)

The American Government was conceived and built upon the concept that government was designed to serve the People and not to be their master. Its elected officers to conduct government in accordance with the will of the People expressed in free conventions and elections in which "the consent of the governed" is freely given. This is the basic concept of the American constitutional and representative government. Under this theory of the Founding Fathers, it was their express purpose and intention that the voice and will of the People shall always prevail and that the reins of government be firmly placed in the hands of the People.

They thus wrote into the preamble of the Constitution, "We the People" to make it most clear that it is the bulk of the people who stay at home in the States and vote, who grant legislative powers to Congress; who vest executive powers in the President and who clothe the courts with judicial powers, and who divided the government into its three branches of separate governmental functions, independent of each other, each acting as a check against the other to prevent any violations of the basic, human and prescribed constitutional rights of the People, and each confined to its own sphere of prescribed authority. In order to make doubly sure that the rights of the People will never be violated, they also provided that in case any officer in any of the three branches over-reaches or abuses his prescribed authority, he may be impeached, driven from office and denied any further employment or trust in government, and further, provided, that all such elected officers shall be subject to re-election every two and four years excepting the Federal Judges who are not elected but appointed to serve for life upon their good behavior. Freedom from governmental tyranny and autocracy was the thought behind this action of those who wrote the Constitution.

As stated, the underlying concept and basis of our government was, and is, that it is the People who, by their votes, rule, and that the elected officers of government derive their power to govern "only from the consent of the governed." Hence, standing upon this premise, the question arises, why are the Indians, who, also, are a part of the people of this Nation and also citizens thereof, never consulted but denied their constitutional right to a voice in the selection and confirmation of the Indian Commissioner who, as stated, becomes a dictator and rules with an iron hand over every phase of the lives and property of the Indians on every Indian reservation in the land? A forth-right

LIBERTY AND JUSTICE FOR ALL



question with no quibbling or evasive answering is begging an answer to this question.

The record discloses that every Indian Commissioner and Interior Secretary since the foundation of government here has ruled the Indians with an iron hand. Under existing law, their official acts, which extend into every phase of this, makes possible the governmental tyranny and absolutism that has been the lives of the Indians on their reservations, and which are beyond review in the courts. This situation also makes mockery of all of the declared concept of the rights of the People under representative and constitutional government where the will of the People prevails.

Where and when the Indians are concerned, it is not the "will of the governed" which prevails, but instead, the "Indian Policy" based upon political expediency which prevails. This Policy, backed up by the Supreme Court decision in 187 U.S. 553-556, known as the Lone Wolf decision, strips the Indians in their tribal state of every legal right that the Constitution bestows on every Person under the American Flag. It builds up the Indian Commissioner to as much an autocrat as is Khrushchev. It makes the "Declaration," "the Bill of Rights" and the "Constitution" all dead letters and meaningless on every Indian reservation in this country.

Under this decision the Government can do anything against the Indians and they are powerless to seek relief in the courts as by this same decision, the courts were also closed to them. "Plenary authority over the tribal relations of the Indians has been exercised by Congress from the beginning, and the power has always been deemed a political one, not subject to be controlled by the judicial department of the Government." (Lone Wolf decision, 187 U.S. 553-556).

In its dealings with aboriginal Indian Title, Mr. Justice Holmes stated: "The

United States bound itself only by honor, not by law." (Conley v. Ballinger, 216 U.S. 84, 90 (1910)).

These quotations depict the legal plight that the Indian tribes are in and also depicts the fact that they have nothing to say as to whom their rulers—the Secretary of Interior and the Indian Commissioner shall be, as that question is decided by the President and his party advisers in and out of Congress. Hence, Presidential elections every 4 years mean very little to them as the selection of these two officers who govern the Indians are in nowise involved in such elections; the lot of the Indians is to wait and see whom the President selects for them as they have not even the power of a suggestion in such matters.

Attention is directed to the efforts of the Indian Tribes in National convention in the matter of an appeal to the late J. F. Kennedy, to be the first President to give the Indians of this country such long denied constitutional rights under the laws of this country. His reactions were the same old story; he gave us no direct reply but the usual run around and hedging actions and finally nominated a career party politician with no background to close relationship with the Indians whatsoever and, who, as his predecessors did, has been ruling also, with the same old haughty— "I'm running this show" kind of iron administration; its the same old story. There seems no way out of this dilemma except to do as the Negroes have done, namely: to organize all of the Indians of this country politically and then vote solidly for those running for high political office at Washington and in the States on their Indian Record, for or against, as their records indicate. We are dealing with politicians at Washington and in the State governments, and to get the political relief necessary, the Indians too, must play the American game of politics to the hilt to get the political recognition and relief they must have to survive. This is the only effective approach under the political system that controls our government today.

THE LOT OF THE INDIANS

The lot of the American Indians is, and has always been discriminatory in every phase of their lives here in this country. Discriminatory competition in every direction to live and enjoy equal rights under the law, and also, the right to aspire for the better things of life under our laws and the economic order controlling living here in this country.

Life as an Indian in this country, under the Bureau of Indian Affairs, is not, and never has been too pleasant. Racial discrimination and discriminatory competition in matters of employment and opportunity for gainful employment has always been the lot of the Indians. This is a harsh statement to make, but the record of Indian relations since Colonial times support this statement as a fact.

—o— Please turn to page 2 —o—



Thousands of families of a dozen or more of all ages live and sleep in one-room shacks such as these. Why not some "Foreign Aid" for the American Indian?

AMERICAN INDIANS

—o— Continued from page 1 —o—

The Indian Bureau was established in 1834 with several ideas in mind. First, to contain the Indian tribes on specified reservations under military control, so that the conquests for their tribal lands might go on unimpeded. Second, so that the White emigrants settling the west may be secure from retaliatory actions from the tribes whose lands were taken by force. Third, that educational processes in the Whiteman's way of life in agriculture might be instilled into that of the Indian who now was forced to give up his nomadic way of living.

In establishing the reservation system of life, the government was of necessity forced to concede certain basic, natural and other God-given rights that the Indians who owned this country, were endowed with. Let us enumerate some of them. They as owners of their respective land areas, were entitled to some consideration for the taking by force of their land properties; hence, the treaties which began with the Delawares in 1789 and continued with each tribe until March 3, 1871, when Congress passed an Act as of that date declaring the abrupt termination of treaties with the Indian tribes and making them amenable to specific Acts of Congress in the administration of their tribal affairs.

Both Congress and the Federal Courts have made decisions defining the legal nature of the rights of the Indian tribes within these defined reservation areas through treaties and otherwise. Thus, these official acts of the Sovereign automatically resulted establishing such acts as vested rights accruing to the Indians, rights, implying an intent to make at least partial payment for their lands so taken from them without their consent or approval. It is this fact that gave rise to the creation of the court of Indian Claims which has been rendering decisions in Indian land payment claims, and the judgment, which some of the tribes have won. It is a feeble process of trying to make amends for wrongs inflicted upon the Indians, tribe by tribe, in the taking of valuable real estate from them by the power and force of this Nation's military, which the Tribes were unable to cope with, and thus lost a whole continent.

It further is an attempt to invoke the "Golden Rule" in the treatment of the Indians posthumously.

The conscience of a Nation claiming Christianity as its standard in its treatment of its conquered natives was aroused to that extent. However, the judgments when won, and their disposition among the individuals of tribes entitled thereunto, now presents another problem involving constitutional property rights and the rights to the free use thereof, due to the official decisions of the Secretary and Indian Commissioner who have decided that under the law they are empowered to use their own whims and judgment as to how and in what manner, such judgments are to be disbursed. These decisions in this matter has engendered bitter feelings among the entire Indian population and rightly so. Thus, again, the lot

of the Indians as individuals and as tribes is meek submission to the will and whims of both the Secretary and the Indian Commissioner, an entirely repugnant contradiction to the process of constitutional government and its guarantees under the American Constitution and its Bill of Rights.

The problems of the Indians are political, make no mistake about that! Their rights and property are handled and administered by professional politicians selected and appointed as such, and, who, in nowise, are responsible to the Indians in their conduct of their affairs, and whose official acts are beyond court review and are nonsueable in the courts by the tribes. Hence, their usual haughty demeanor and arrogant ways and manners in their dealing with the individual Indians on reservations. It is these illegal and unconstitutional ways of administering Indian property and their personal and basic human rights on Indian reservations that we are concerned with.

We Indians have a real problem on our hands in trying to correct these high-handed methods of administering our affairs on our reservations. It is up to our leaders to see what they can do to correct this situation which as stated, is political and requires political organization of the Tribes for effective counter action. When you are engaged in fighting politicians, you too must be engaged in politics and talk from and behind the power of your votes to correct abuses as that is the only language politicians understand.

The Negroes are getting political relief by making their demands from and behind the votes of 18 millions of them. They fully demonstrate the value and power of making demands for political relief from and behind their votes. The Indians can also make such headway if they too, will organize politically, then use their combined votes as their battering ram with which to make their demands for the respect of their rights and freedom from the autocratic actions of officers of the Indian Bureau at Washington and on Indian reservations. This is the only effective approach to the relief we have been seeking.

As stated in the beginning of my remarks, the lot of the Indians has been continued discrimination on account of race. Discrimination of every kind and character. Thus, his struggle to eke out a living and try to live in the American fashion has not been an easy nor pleasant one. In addition, he has suffered social, political and legal ostracism. All of these things combined has made the life of an Indian in this country (his own country), and under the Indian Bureau a not too pleasant experience. These discriminations have, in turn, developed into discriminatory competition affecting his efforts to live in the American fashion.

This is no attempt to engage in recriminations but, instead, a recital of historical facts which cannot be denied and to set the record straight.

I proceed now to cover several subjects concerning Indian Affairs administration and in doing so, I will draw upon my own personal

experiences beginning with the Theodore Roosevelt administration on down till now.

1. The Indians in their tribal state enjoy a dual nature; that of ward and citizen at the same time, and one status is not repugnant to the other. (Choate v. Trapp; 224 U.S.)
2. The struggle has been Indian v. Whiteman since Colonial times, and that struggle continues yet today, and extends into every phase of his life.
3. Discriminatory competition in every phase of his life here in his country is the proper characterization of the Indian's lot.
4. Discriminatory competition in the labor market where he goes in search of gainful employment with which to feed those dependent upon him for their daily food.
5. Competition for equal protection under American law.
6. A discouraging struggle for racial equality in every phase of his minority status.
7. A discouraging struggle for social and political recognition of his right, also to enjoy recognition as an American, also equally entitled to every right and benefit claimed unto themselves by every other person under the American Flag.

These then, my friends, are the problems against which, the Indians, with few exceptions, are struggling in their efforts to live in the American fashion and enjoy the better things of life here in their own country. So, again, let me re-state, that what we Indians have been struggling for is, 1. economic growth and self-sufficiency. 2. Social Justice. 3. Equal opportunity for gainful employment without discrimination. These, are the goals that tribes seek and the purpose of the various organizations we have created is to band us all together in united action to pressure state governments and Congress to grant them.

INDIAN STRUGGLES TO HOLD LANDS

From Colonial times the big struggle of all tribes has been to hang onto their lands. And in so doing, they have been forced into a defensive posture that continues to this day. The Government, in devising ways and means of overcoming this resistance of the tribes, decided on a system of entering into treaties with the tribes wherein specified tracts of their land were set aside by treaty agreements under Art. VI of the Constitution and ratified by the Senate as all other treaties with foreign Nations are. Hence, in so doing, all such Indian treaties become, and are, the supreme law of the land. The law is:

"All treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding."

The honor and integrity of this Nation is seriously pledged to carry out in honorable fashion this provision of its constitution. In the wake of this solemn pledge, vested rights automatically follow. This means, "That no person shall be deprived of life, liberty or



Stewart L. Udall, Secretary of Interior
which controls Bureau of Indian Affairs.

Then comes a recital of the 87th Congress appropriating a total of \$102 billions of the American taxpayers money for all kinds of unnecessary and foolish projects and then listing them.

In the field of foreign aid, the record is infinitely worse. For instance, the record shows billions handed recklessly to over 89 foreign Nations, friend and foe alike, in our attempt to buy friends. For the period including 1946 through 1961, the total of these gifts, outright throwing away of the peoples' money is, \$90,256,300,000 of this \$29,000,000,000 was for economic aid rehabilitation of foreign enemies. What an anomaly! Great hordes of our people are destitute. Why not take care of them first instead of Tito for instance, who is allied with Khrushchev, who accepts our billions in handouts then pokes fun at us for being dumb fools.

Now, then, the argument is; If this Nation can recklessly squander its peoples' money in the manner herein depicted, why does it not pay its honest debts to the American Indians who have gone allout to defend this government whenever a war breaks out? A very small amount of the money Congress has been throwing away will do the job, which it is honor bound to do. Instead, when Indians are concerned, Congress quibbles about the amount involved; cries of bankruptcy of this Nation resound through Congress. This is pure nonsense in the face of billions squandered by Congress in underwriting the operative expenses of every Nation on earth. I call these facts to every tribal leader so that you might understand the discriminations and status of the under dog and the least considered of all Americans, the position we Indians have occupied since the foundation of the American government. I wish to also point out that our affairs are handled politically by two political appointees who never go before the people to be elected to the positions of Secretary and Indian Commissioner's and who snap the whip at us, and we in opposition have no recourse in redress in any court in the land against their official actions.

It is the responsibility of all tribal leaders and the entire Indian populations to band together politically, and by and from behind our votes demand a change of the order, demand constitutional process of governmental administration on every Indian reservation in the land. This is my message to all tribes and I hope that some leader will spark action as is herein suggested.

PRIVATE PROPERTY RIGHTS OF THE INDIANS

The Constitution specifically declares for the protection of the property rights of "every person" under the American Flag, by the 5th and 14th Amendments.

The right of every citizen to acquire, own and use his own property as he pleases is one of the basic principles upon which this Nation is founded. The underlying principle of our free enterprise system is private ownership of property which includes all forms of chattel and personal property. Money is personal property and thus comes under constitutional protection.

Now, then, let us consider these rights when the Indians are concerned. Many of the tribes have recently won judgment in the courts for their tribal lands which were arbitrarily taken from them by this Nation. These money judgments represent compensation long overdue the Tribes for such land seizure.

These money judgments therefore fall into the category of the payment of a just debt and are in nowise to be considered as a gift or grant or a heart balm from the United States to the Indians for wrongs inflicted. Rather, it is an admission of wrong inflicted and a money payment offered the members of the tribe so wronged. This is the spirit which animates this Nation through its courts when awarding these judgments.

Property in its widest sense is divisible into four categories; I. General. 2. Absolute.



Philleo Nash, Commissioner, Bureau of Indian Affairs. Although Nash claims clearance from former President Truman and Loyalty Boards, the Congressional Record of January 29, 1952, page 581 gives the F.B.I. report which indicates communist affiliations.

property without due process of law: nor shall private property be taken for public use, without **JUST COMPENSATION**," (Fifth Amendment).

So, we have here, the Constitution which guarantees unto "every person" (and the Indians surely are "persons") protection of their lands and personal property, and judgment monies won in the courts against the Government too, are personal property and cannot be taken without due process of law. But you all know what has happened to those tribes who have won judgments. The Interior Secretary and Indian Commissioner have taken the position that they are empowered by existing law to do as they see fit in the disposition of the judgments won by the tribes and thus, programmes of every kind and description have been forced upon every tribe winning judgment. This it appears, is an arrogant flouting of the Constitution just cited. The question is: what are the tribes going to do about it? That question you in this convention and the N.C.A.I convention at Bismark must decide. The tribes were forced to win these judgments the hard way with the Interior and Justice Department opposing in an all out fight to prevent any tribe from winning their suit, then when in spite of such opposition, any tribe won its suit, the Secretary and Indian Commissioner and members of the Senate Interior insisted that they had the authority of law to dictate how, and in what manner the tribes winning, shall be allowed to spend the money, the constitutional decrees to the contrary notwithstanding. I submit that this is governmental tyranny in the extreme.

During the Udall and Nash confirmation hearings before the Senate Interior Committee, the members of this committee, the Secretary and Mr. Nash all took the position that they could not trust the winning tribes with the responsibility of spending their judgment wins wisely, the implication being that the Indians are too dumb to use their hard won monies wisely. This, I submit, is an insult against the intelligence of every American Indian, and is the tyrannical discrimination always practiced on all Indians from the beginning of government here.

The argument also has been made in the Congress that to pay the Tribes the money that they are suing for would bankrupt this Nation. Let us see how much of the Peoples' money in the Federal Treasury, that Congress has been pouring into the hands of every Nation on earth, friend and foe alike, and into absolutely unnecessary public works programmes all over the world. At this moment we are underwriting the economic rehabilitation and public works programmes of nearly every nation on earth.

I refer you to the August 16 issue of Life's magazine, page 20-28 inclusive. The caption is: "Pork Barrel Swells." Then states: "The U. S. spends increasing billions on projects done first and foremost for **POLITICAL GAIN**—and that we could really do without."

3. Personal. 4. Private. We are concerned here with personal and private property. Personal property denotes that kind of property which usually consists of things temporary and moveable, includes all subjects of property not of a freehold nature. Private property consists of all property belonging absolutely to an individual, and of which he has exclusive control rights of disposition.

STATEMENT OF FACTS AND THE CASE OF THE INDIAN TRIBES

Since some of the tribes have won judgments, the Secretary of Interior and the Indian Commissioner have advanced the unconvincing argument that such money awards are awards to the tribes as entities and are in nowise, awards to the individuals composing such tribes; and, upon this queer theory, they, as the top Officials of the Interior Department, are charged by existing law, with the power of deciding how, and in what manner, and amount, such judgments will be disbursed; that the members of the tribes winning such judgments have no power or legal authority to pro-rate among themselves such judgments, and that it is the policy of this administration to make no per-capita payments from these judgments, but instead, invest such money in tribal or reservation projects

ARGUMENT

Let us consider the merits or justice if there be any, of this queer and specious argument, declaration, decree and policy.

1. In the first place, the Tribes were the aboriginal possessors of these lands from time immemorial or long before the White Man discovered America. They were the owners by reason of aboriginal title and possession—the highest kind of a title.
2. All of the cessions between the Crows and the Government were never made with any understanding that when the Government paid for such land, that the money would be paid to the tribe as such, or as an entity—an abstract terminology—meaning the sum total of all the members composing the tribe—but, the whole understanding was, that any payments made were the property of all the members in equal amounts. No such understanding was ever suggested that payments would be held in escrow denying the members of the tribe from receiving their per-capita shares to use as they wished, and never was there ever any thought that such payments would arbitrarily be held and invested in tribal projects where only a few would benefit, or in the underwriting by the tribal members of individual enterprises, by their per-capita shares for such individual enterprises.

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Continued from page 3

3. In the long and costly court suits to win these judgments, the Government did everything that its Justice Department Attorneys could devise to thwart and defeat the tribe's lawyers, but in spite of such tactics, some of the tribes have won and when they do, the Secretary and Indian Commissioner step forth to declare that they hold the power to decide how, and in what manner, and amounts, the Indians will be allowed to receive from their judgments. That no per-capita payments from such judgments will be made, is the policy of this administration.

4. We submit that judgment awards are the collective personal and private property of the individual members of the tribes winning them; that such awards were made in the name of the tribe winning them for the very obvious reason that the courts cannot conveniently name every member of the winning tribe in its decree as in many instances there are many thousands composing such tribes, so, the name of the tribe as the entity, is used solely for brevity and convenience.

5. Any tribal property, whether it be land or money is recorded in the name of the entity—the tribe—but most assuredly there is no authority of law that says that it shall always remain that way. The members composing the tribe are, from every point of reasoning, entitled to divide such property so that every member of the tribe shall enjoy his or her pro-rata share and do with it as they desire. This is the rule of law controlling and protecting property under American law. The Indians are no different from any one else and should not be denied the benefit of existing law. The Constitution guarantees "every person" the equal protection of law, including the Indians.

6. Thus, the policy, and contentions of the Secretary and Commissioner viewed in this light, brands them as most unjust, denying the tribal members simple justice, a violation of the constitutional guarantees of the free enjoyment of property rights both personal and private, and ushers in an era of bureaucratic tyranny and absolutism wholly repugnant to the principles of a "self-determination under constitutional and representative government, and is, wholly un-American, autocratic, and wreaks with might makes right."

7. The Constitution says: "Every Person." We submit, that the Indians, also, are "Persons" within the meaning of the Constitution and also equally entitled to enjoy the equal protection guaranteed to "Every Person" under the American Flag; else, if not, specific language would have been written into the Constitution to exclude them. They assert this right now, and it is incumbent upon the Secretary to prove in the courts that they are not entitled to such rights.

8. Congress by the General Allotment Act, Feb. 8, 1887, Ch.s (24 Stat. 388), decreed the policy and law of dividing the tribal lands, property and assets among the members of the tribes; individual economic rehabilitation was the goal. It subsequently implemented this policy by distributing money payments, food, clothing and livestock distributions, farming machinery among the members of the tribes as partial considerations for valuable considerations, privileges and lands they gave up at the behest of the United States. This action clearly indicates by the government that the tribal assets and property were the undivided personal property of the members of the tribes and were always divisible among them. It has always been the policy until the advent of this administration whose Interior officials have announced the New Policy of no per capita payments from judgments.

The General Allotment Act as amended is still the law today. It vested in the members of tribes, the right to divide the tribal lands and other assets including tribal monies among the members of the tribe and upon this question, the Supreme Court in Choate v. Trapp, 224 U.S. 655,667, held: "Congress

cannot disturb vested rights." Also, "Indians and Indian Tribes come within the protection of the Constitution." United States v. Creek Tribe. (Other citations).

9. "An Indian's right of private property is not subject to impairment by legislative action, even while he is, as a member of a tribe, subject to the guardianship of the United States as to his political and personal status." Choate v. Trapp, 224 U.S. 665, 32 S. Ct. 565, 56 L. E. 941. Money is private property.

10. "No Act of Congress or legislative fiat constitutes due process of law, whereby a vested right in or title of property may be either seriously impaired or destroyed." Chase v. United States, 222, F. 593, 138 C. C. A. 117. Money is property.

11. "There is no question that the Government may, in its dealings with the Indians, create property rights, which once vested, even it cannot alter." Williams v. Johnson, 239 U. S. 414, 420, 60 L. Ed. 358. They vested under the General Allotment Act.

12. "Indian treaty lands may not be taken by mistake of officials of the Interior Department." U. S. v. Creek Nation, 395 U. S. 103. (Note). Judgment monies are the proceeds of the sale of treaty lands, hence, take on exactly the same form and nature as the lands themselves, and are divisible the same as the tribal lands and other property under the General Allotment Act of Feb. 8th, 1887.

Thus, for the foregoing reasons and citations of Court decisions and Acts of Congress, it is most evident and plain that judgments while awarded in the name of the tribes winning same, for convenience are, never-the-less, the private property in the final analysis of the individual members of the tribes winning them, and by every rule of justice, fairplay and reason, are theirs and should be paid to them pro-rata as was originally intended. To deny such right plainly involves a repudiation of the citation of the authority herein submitted, and also, "Due Process" to American Citizens and therefor a repudiation of the Constitution itself.

THE INDIANS, IN INDIVIDUAL AND RACE COMPETITION UNDER THE ECONOMIC SYSTEM.

The chief concern of the Indians are:

1. Their economic rehabilitation, individual and tribally, to the degree of self-competence.
2. The recognition of their constitutional right to political equality with every one else under American law.
3. Their American right to be gainfully employed in the American labor market without any discrimination on account of race.
4. The conceding by career bureaucrats of the Interior Department and other officers of the government, of their constitutional rights to also be protected by the protective clauses of the constitution and the Bill of Rights in their personal and property rights as other Americans.
5. The scrupulous respect of their civil rights the same as other Americans.
6. The scrupulous respect of their tribal sovereign rights to govern themselves as have been decided in the U. S. Courts (Iron Crow v. Ogalala Sioux Tribal Council); Native American Church v. Navaho Tribal Council, Ella Barnes v. Chairman Crow tribal Council et al. And other similar decisions.
7. To deter and prevent if possible, the invoking of the infamous Lone Wolf decision (187 U. S. 553-556), to force tribes into submission in attempts to take their tribal lands for conveniences of the White residents surrounding Indian reservations for dams and other purposes, when the Indians object on account of inadequate prices offered.
8. A voice in the selection of the Indian Commissioner, a matter of "consent by the governed," guaranteed by the Constitution to all of the American People.

These are the principal concerns of the 500,000 American Indians who also are seeking to live in the American fashion, free from economic want and misery, and who, also seek to enjoy 'self-determination' in purely matters of internal tribal government and race advancement. These are American rights guaranteed to 'every Person' under the Constitution and to demand them simply means that they are acting within their legal rights.

Presidential Power A Risk

By J. Johnston McCauley

It is agreed that there is a just relationship between capital and labor. One cannot get along without the other. It is and should be the objective of government to establish and preserve it. Capitalism provides the opportunity for the creation of wealth through labor and is entitled to its share of the profit. The objective of both capital and labor should be production and not its limitation by Socialist-inspired strikes, lock-outs or shorter working hours. The wise men who wrote the Federal Constitution and established our republican form of government designed them to protect the free enterprise system from the wiles of the demagogue and from mobocracy. Our founders established three distinct and independent departments of government: the legislative (Congress), the executive (Presidency), and the judiciary (U. S. Supreme Court), each to be a check upon the other two. It is now apparent that if any mistake was made, it was in the broad powers given the Executive, for the late President John F. Kennedy's administration usurped much of the powers granted to the other two branches.

The Executive has the power to appoint Judges. Roosevelt, Truman, Eisenhower and Kennedy used that power to debase the courts by appointing Marxian, Fabian and other types of Socialists instead of capable attorneys. They have all usurped the legislative power by creating emergencies and issuing directives with the force of laws, and by establishing bureaus with authority to issue such directives. President Harry Truman issued a directive limiting an appropriation (for flood control) made by Congress, despite the fact that he had the power to veto and could have vetoed the appropriation via the Constitutional method, if he had disapproved it.

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